IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:15-CV-00612-BO

TIMOTHY P. DANEHY,)	
Plaintiff,)	
v.)	SCHEDULING ORDER
CCS COMMERCIAL, LLC,)	
Defendant.)	

This matter is before the court with regard to the parties' Rule 26(f) discovery plan filed on January 15, 2016 ("Discovery Plan"). [DE-11]. The Discovery Plan has been considered by the court and found to be reasonable. Accordingly, the Discovery Plan is APPROVED AND ORDERED with the following critical deadlines:

- 1. Initial disclosures under Rule 26(a)(1) are due by **January 31, 2016**;
- 2. Reports from retained experts are due from Plaintiff by <u>April 15, 2016</u> and from Defendant by <u>May 15, 2016</u>;
- 3. All discovery will be concluded by <u>July 15, 2016</u>;
- 4. All potentially dispositive motions will be filed by **August 15, 2016**; and
- 5. This matter will be set for trial by separate order from Judge Terrence W. Boyle. Pursuant to the August 20, 2002 Standing Order entered by Judge Boyle, the court reserves the right to schedule this case for trial as early as thirty (30) days after the dispositive motion deadline.

Any party which makes an appearance after this Scheduling Order has been entered shall be required to confer with opposing counsel. Such party shall be bound by the terms of this Order

unless the party moves for and obtains amendment of this Order by the court.

The Plaintiff shall have until March 15, 2016 and Defendant shall have until April 15, 2016

to file motions requesting leave to join additional parties and to amend the pleadings. Nothing in

this Order shall relieve a party of any requirement to obtain court approval prior to joining a party

or amending its pleadings.

Supplementation under Rule 26(e) must be made promptly after receipt of the information

by the party or counsel, but in no event later than the close of discovery.

The parties are cautioned not to be dilatory in pursuing discovery. Motions for extension of

discovery deadlines are not favored if they would require a continuance of the trial.

The remaining provisions of the Discovery Plan not inconsistent with the foregoing are

approved an adopted as this court's Order.

The parties are reminded that on consent of all parties, and with the concurrence of the

District Judge, this case may be referred to a Magistrate Judge for jury or bench trial, as appropriate,

with a peremptory trial setting and the right of direct appeal to the Fourth Circuit. A copy of the

consent form may be obtained from the Clerk.

This case is not subject to mandatory mediation, pursuant to Local Civil Rule 101.1a(b).

However, the parties have agreed to mediate prior to the close of discovery and are also reminded

that upon request, this court will assist with settlement negotiations or other alternative dispute

resolution by making available a judge other than the trial judge to explore these possibilities.

SO ORDERED, the 22nd day of January 2016.

Robert B. Jones .

United States Magistrate Judge